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Proposed Special Litigation Counsel
for Debtor and Debtor-in-Possession
Premier Golf Properties, LP

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

In re

PREMIER GOLF PROPERTIES, LP,
a California limited partnership

Debtor and Debtor-in-Possession

Bankruptcy No. 15-01068-CL11

**DECLARATION OF
DARYL IDLER RE EMPLOYMENT
OF DARVY MACK COHAN AS
SPECIAL LITIGATION COUNSEL**

HEARING DATE

Date: March 18, 2015

Time: 11:00 AM

Dept: 5

I, Daryl Idler, declare:

1. I am an officer of the general partner of Premier Golf Properties, LP ("Premier"), the debtor in possession. In that capacity I operate Premier's business and have done so since 2002. Accordingly, I have personal knowledge of all of the facts set forth herein and, if called upon as a witness, I could and would so testify.

2. In May, 2011, Premier was engaged in litigation with its lender, and during the course thereof, Premier was compelled to file a petition under the auspices of Chapter 11 of the United States Bankruptcy Code (the "Former Case"). In order to do so we engaged Jack F. Fitzmaurice, Esq., as Premier's General Insolvency counsel, and Darvy Mack Cohan, as

1 Special Litigation Counsel to represent the company. Mr. Cohan did so represent the company in te
2 Former Case throughout the Chapter 11 period, which representation was not duplicative of the
3 efforts of Mr. Fitzmaurice, including successfully defending against the Emergency Motion To
4 Prohibit The Use of Cash Collateral brought by Premier's then lender, and said former lender's
5 appeal therefrom as reported in *In re Golf Properties, LP*, 477 B.R. 767 (9th Cir. BAP 2012). As a
6 direct result of Mr. Cohan's so representing the company, the company's post petition cash flow
7 essential to its operation and survival as a debtor in the Former Case remained available and
8 unencumbered.


9 3. Mr. Cohan's legal services in the Former Case were also necessary to assist
10 Mr. Fitzmaurice, from time to time, upon a number of contentious motions, including a motion for
11 relief from stay. That motion encompassed a three (3) month discovery period and a ten (10) day
12 evidentiary hearing. Mr. Cohan's services were not duplicative of Mr. Fitzmaurice's services
13 therein, and in fact, he made only such appearances at the evidentiary hearing as were required of
14 him.

15 4. Throughout the Chapter 11 period of the Former Case described above, Mr. Cohan
16 developed an understanding of both the Premier business, and the unique adversary issues that it
17 faces as a Chapter 11 debtor. When the former secured lender failed to honor the terms of the
18 resolution agreement with Premier and latterly sold the Premier note and deed of trust to another,
19 Premier was forced to initiate this proceeding. To do so, and in anticipation of the adversary claims
20 inherent in the former secured lender's conduct, as well as the those that we anticipate to face from
21 creditors, we again sought the services of Darvy Mack Cohan, given his knowledge of our company
22 and prior successful representation of Premier, to act as Special Litigation Counsel.

23 5. Rather than being duplicative of the services of Mr. Fitzmaurice, the services of Mr.
24 Cohan, as Special Litigation Counsel, when necessary, will prevent Mr. Fitzmaurice from being
25 distracted in adversary proceedings, and allow him to concentrate on the company's business and its
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1 duties as a debtor in these Chapter 11 proceedings in proposing its plan of reorganization.

2 I declare under penalty of perjury under the laws of the United States of America that the
3 foregoing is true and correct. Executed at San Diego, California on March 14, 2015.

4 
5 DARYL IDLER

Ch 11 Bankruptcy Case Number 15-01068-CL11

PROOF OF SERVICE

I, the undersigned, declare:

I am, and was at the time of service of the papers herein referred to, over the age of 18 years, and not a party to this action. My business address is 7855 Ivanhoe Avenue, Suite 400, La Jolla, California 92037. March 14, 2015, I served the within documents:

DECLARATION OF DARYL IDLER RE EMPLOYMENT OF DARVY MACK COHAN AS SPECIAL LITIGATION COUNSEL

electronically on all ECF recipients, and on the parties in this action addressed as follows:

For the U.S. Trustee

UNITED STATES TRUSTEE

Department of Justice

402 West Broadway, Suite 600

San Diego, CA 92101

X I placed a true copy in a sealed envelope addressed as indicated above, on March 14, 2015. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after deposit for mailing in affidavit.

_____ I caused overnight delivery by Federal Express of the document(s) listed above to the person(s) at the address(es) set forth above

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on March 14, 2015, at La Jolla, California.

/s/ J. Frisbie

J. Frisbie